

CITY COUNCIL REPORT



Meeting Date: April 5, 2016
 General Plan Element: ***Public Services & Facilities***
 General Plan Goal: ***Provide recreational opportunities***

ACTION

Termination of SUSD Intergovernmental Agreement (Parks Rooms at 100th Street School). Adopt Resolution No. 10376 approving the Termination of Intergovernmental Agreement No. 1992-088-COS-A1 with Scottsdale Unified School District.

BACKGROUND

In September of 1992, City of Scottsdale and Scottsdale Unified School District (SUSD) created an Intergovernmental Agreement for the Parks Rooms at the 100th Street School (known today as Cheyenne Traditional School). City funds were expended to build a room and office (the Parks Rooms) on school property for City program and Recreation use, which was a unique partnership. The Parks Rooms were used for a City afterschool program and leisure education classes for over 20 years: 1992 through 2012.

Over this time period, the City afterschool programs evolved from no fee to fee-based programs. Fees for City afterschool programs were instituted in 2011. In addition, in 2005, Scottsdale Unified School District began offering afterschool enrichment programs at various Scottsdale schools and currently offers programs at Cheyenne Traditional School. The City's Parks and Recreation afterschool program and Leisure Education enrichment class programs ceased operations at Cheyenne Traditional School in 2012. The Parks Rooms have been in use by Cheyenne Traditional School and the Scottsdale Unified School District since 2012.

ANALYSIS & ASSESSMENT

Recent Staff Action

The City of Scottsdale Parks and Recreation Department does not require use of the Parks Rooms at Cheyenne Traditional School due to the proximity of the City's Parks and Recreation facilities in the surrounding area, Horizon Community Center and McDowell Mountain Ranch Aquatic and Fitness Center. Leisure Education enrichment classes are conducted at Horizon and McDowell Mountain

Ranch, and fee-based afterschool programs are offered at Horizon Community Center for the community, within 1.5 miles of Cheyenne Traditional School.
City staff does not foresee future needs for these Parks Rooms.

Community Involvement

On March 22, 2016, the Scottsdale Unified School District governing board approved termination of this Parks Rooms partnership and will take full responsibility for the rooms.

RESOURCE IMPACTS

Maintenance Requirements

City responsibilities for maintenance of the Parks Rooms at Cheyenne Traditional School will cease with this termination.

Future Budget Implications

Maintenance costs will be reduced.

OPTIONS & STAFF RECOMMENDATION

Recommended Approach

Adopt Resolution No. 10376, approving the Termination of Intergovernmental Agreement No. 1992-088-COS-A1, terminating Intergovernmental Agreement No. 920088 (Construction and Lease—Parks Rooms at 100th Street School.)

Description of Option B

Do not adopt Resolution No. 10376, terminating Intergovernmental Agreement No. 920088 (Construction and Lease—Parks Rooms at 100th Street School), and retain City maintenance responsibilities of the Parks Rooms.

RESPONSIBLE DEPARTMENT(S)

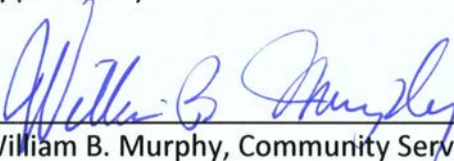
Community Services, Real Estate

STAFF CONTACTS (S)

Reed Pryor, Parks and Recreation Director, rpryor@scottsdaleaz.gov

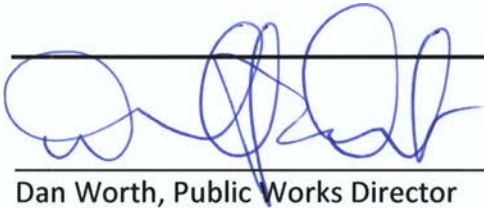
Martha West, Senior Real Estate Manager, mwest@scottsdaleaz.gov

Approved By


William B. Murphy, Community Services Director

3/11/16
Date

480-312-7954, bmurphy@scottsdaleaz.gov



Dan Worth, Public Works Director

480-312-5555, daworth@scottsdaleaz.gov

3-14-16

Date

ATTACHMENTS

1. Resolution No. 10376
2. Locator Map
3. Termination of Intergovernmental Agreement No. 1992-088-COS-A1

RESOLUTION NO. 10376

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, APPROVING THE TERMINATION OF INTERGOVERNMENTAL AGREEMENT NO. 1992-088-COS-A1 BETWEEN THE CITY OF SCOTTSDALE AND THE SCOTTSDALE UNIFIED SCHOOL DISTRICT NO. 48 REGARDING PARKS ROOMS AT THE 100TH STREET SCHOOL; AND AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE SAID TERMINATION.

WHEREAS, the City of Scottsdale ("City") and the Scottsdale Unified School District No. 48 ("District") previously entered into Intergovernmental Agreement No. 920088, recorded September 9, 1992 ("IGA"), regarding the construction and lease of a room and office to be used by the City Community Services Department for public purposes at the District's Cheyenne Traditional School; and

WHEREAS, the lease of the room by the City is no longer needed; and

WHEREAS, the City and District desire to cancel the IGA as set forth in the Termination of Intergovernmental Agreement No. 1992-088-COS-A1; and

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. The Mayor is hereby authorized and directed to execute on behalf of the City the Termination of Intergovernmental Agreement No. 1992-088-COS-A1, between the City and the District.

Section 2. The City Clerk is hereby directed to record the Termination of Intergovernmental Agreement No. 1992-088-COS-A1 with the Maricopa County Recorder within ten (10) days after its execution and acknowledgment by all the parties thereto.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this 5th day of April, 2016.

CITY OF SCOTTSDALE, an Arizona
municipal corporation

ATTEST:

Carolyn Jagger, City Clerk

W.J. "Jim" Lane, Mayor

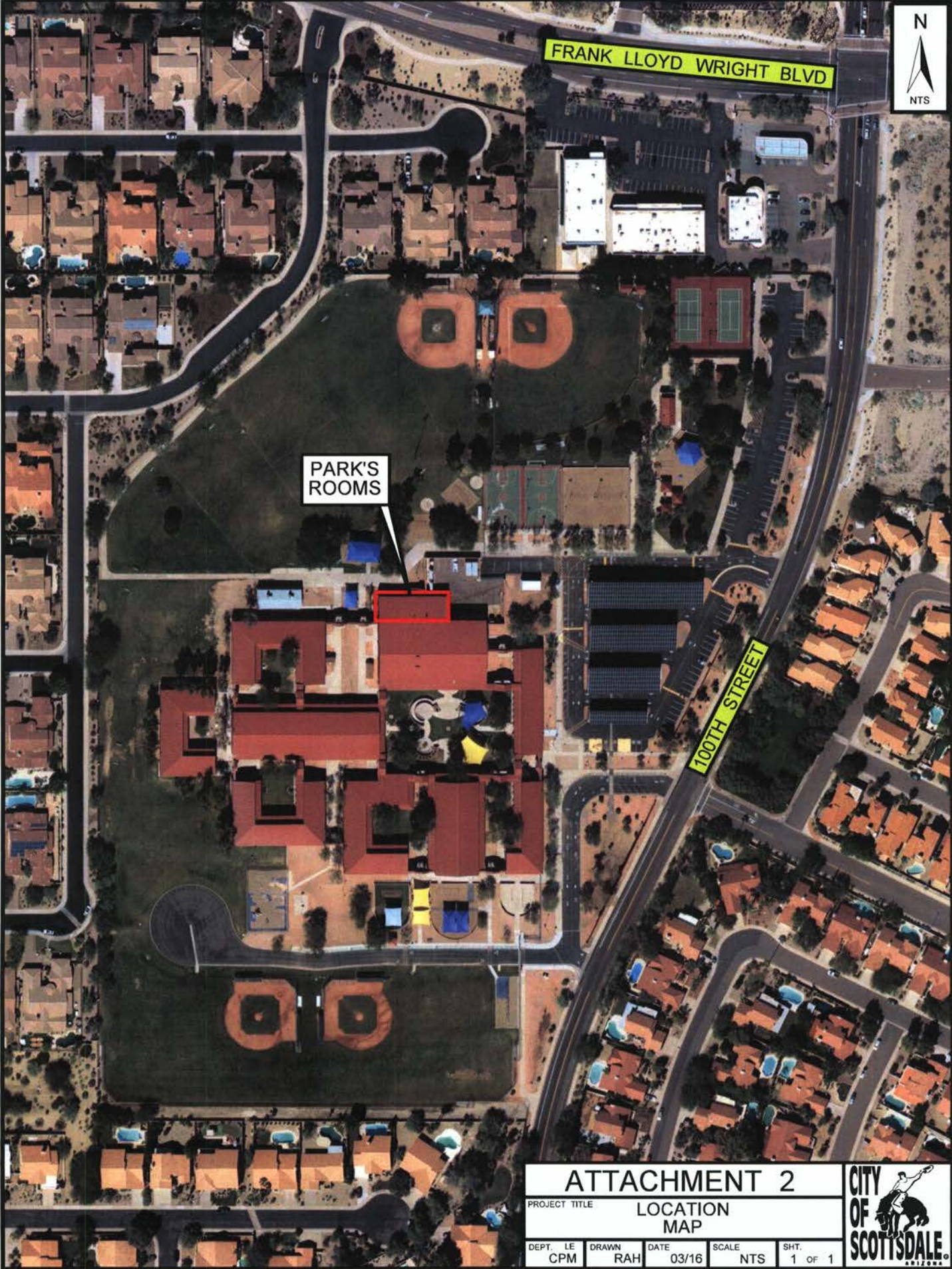
APPROVED AS TO FORM:



Bruce Washburn, City Attorney

By: Kimberly McIntier, Assistant City Attorney

ATTACHMENT 1



ATTACHMENT 2

PROJECT TITLE LOCATION MAP

DEPT.	LE	DRAWN	DATE	SCALE	SHT.
CPM		RAH	03/16	NTS	1 OF 1



WHEN RECORDED, RETURN TO:

CITY OF SCOTTSDALE
PARKS AND RECREATION
(Terry Erickson)
7447 East Indian School Road, Suite 300
Scottsdale, AZ 85251

TERMINATION OF INTERGOVERNMENTAL AGREEMENT

C.O.S. Agreement No. 1992-088-COS-A1

THIS TERMINATION OF INTERGOVERNMENTAL AGREEMENT (this "Termination") is entered into as of this 5th day of April, 2016, between the City of Scottsdale, an Arizona municipal corporation (the "City"), and the Scottsdale Unified School District No. 48 of Maricopa County, Arizona, a political subdivision of the State of Arizona (the "District"). The City and the District will collectively be referred to in this Termination as the "Parties."

RECITALS

A. The City and the District entered into that certain Intergovernmental Agreement (Construction and Lease--Parks Rooms at 100th St. School), Agreement No. 920088 (the "Agreement"), with respect to the construction and lease of a room and office by the City Community Services Department for public purposes at the District's Cheyenne Traditional School, on the property described in Exhibit "A" to the Agreement (the "Property").

B. The Agreement was recorded on September 9, 1992 as Instrument No. 92-0504321 in the official records of Maricopa County, Arizona.

C. The Parties desire to cancel the Agreement pursuant to Section 16.4 of the Agreement, with the Parties' mutual consent.

NOW, THEREFORE, for good and valuable consideration, the sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. The Parties hereby agree and provide notice that the Agreement is completely canceled and shall be of no further force and effect upon recordation of this Termination in the official records of Maricopa County, Arizona.

2. This Termination may be signed in any number of counterparts, all of which constitute one original.

ATTACHMENT 3

IN WITNESS WHEREOF, the Parties have executed this Termination by signing their signatures, as of the day and date first written above.

CITY OF SCOTTSDALE, an Arizona
municipal corporation

SCOTTSDALE UNIFIED SCHOOL
DISTRICT NO. 48, a political subdivision of
the State of Arizona

W.J. "Jim" Lane, Mayor

Bonnie Sneed, Governing Board President

ATTEST:

Carolyn Jagger, City Clerk

INTERGOVERNMENTAL AGREEMENT DETERMINATION

In accordance with the requirements of A.R.S. § 11-952(D), the undersigned attorneys acknowledge (i) that they have reviewed the above Termination on behalf of their respective clients and (ii) that, as to their respective clients only, each attorney has determined that this Termination is in proper form and is within the powers and authority granted under the laws of the State of Arizona.

City of Scottsdale, Arizona

Scottsdale Unified School District No. 48



Bruce Washburn, City Attorney
By: Kimberly M. McIntier
Assistant City Attorney

Michelle G. Marshall, General Counsel